IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jerry H. Stoller | Customer No. 23,444

Serial No.: 10/677,708 Art Unit: 1616

Date Filed: October 02, 2003 Examiner: Alton Nathaniel Pryor

For: Controlling Plant Pathogens and Atty Docket SOR028/189341

Pests with Applied or Induced No.

Auxins

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with the duty of disclosure under 37 CFR 1.56, 1.97 and 1.98, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO/SB/08a be considered by the Examiner and made of record. Copies of the listed documents required by 37 CFR 1.98(a)(2) are enclosed for the convenience of the Examiner. The documents listed herein are documents which may be relevant to the examination of the above application.

In accordance with 37 CFR 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b). Further, this Supplemental Information Disclosure Statement is not to be construed to be an admission that the information cited is, or is considered to be, prior art to Applicant's application.

Under 37 C.F.R. § 1.98(a)(3), Applicant submits an English-language abstract of the International Publication Number WO 99/49728. English-language abstracts are also submitted for the non-patent literature authored by Ono, et al. and Trifu, et al.

Application Serial No. 10/677,708 Information Disclosure Statement Page 2

Consideration and citation of the patent and non-patent documents submitted herewith, and an acknowledgment of such consideration in the next Office Action are respectfully requested.

The USPTO is hereby authorized to deduct any required filing fees under 37 CFR 1.16-1.21 for the filing of this Supplemental Information Disclosure Statement from our Deposit Account No. 50-0897 (189341/SOR028).

Respectfully submitted,

Mark D. Shelley II

Registration No. 59,095

Andrews Kurth LLP 600 Travis, Suite 4200 Houston, Texas 77002-2778 713/220-4043 (office) 713/238-7285 (facsimile) markshelley@andrewskurth.com pat-tmk@andrewskurth.com

Date: